

be paid or delivered on the happening of any event or contingency, in the nature of a lottery, to be lottery tickets.

This section applied to an Austrian bond—see notes to sec. 405. *Ballock v. State*, 73 Md. 5. And see *Horner v. U. S.*, 147 U. S. 449.

An. Code, 1924, sec. 349. 1912, sec. 315. 1904, sec. 290. 1888, sec. 185. 1886, ch. 480, sec. 1.

418. No person or body corporate shall be permitted, either directly or indirectly, by agent or otherwise, to barter, sell or trade, or to offer for barter, sale or trade, by any publication, or in any way, any wares, goods or merchandise of any description, in package or bulk, holding out as an inducement for any such barter, sale or trade, or the offer of the same, any scheme or device by way of gift enterprise of any kind or character whatsoever.

This section referred to in construing secs. 288, *et seq.* *Gaither v. Cate*, 156 Md. 257.

This section in so far as it prohibits gifts not involving the element of chance to a purchaser of goods as an inducement to make the purchases, is unconstitutional and void. This section referred to in construing sec. 593, *et seq.*—see notes thereto. *State v. Caspare*, 115 Md. 16; *Long v. State*, 74 Md. 565; *State v. Hawkins*, 95 Md. 143. And see *Horner v. U. S.*, 147 U. S. 449.

A scheme held to be a "gift enterprise" within the meaning of this section; evidence held admissible. *Long v. State*, 73 Md. 528.

An. Code, 1924, sec. 350. 1912, sec. 316. 1904, sec. 291. 1888, sec. 186. 1886, ch. 480, sec. 2.

419. Any person or body corporate violating the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace or court of competent jurisdiction in this State, shall be fined not less than fifty dollars for any such offense.

"Football Pool Tickets" held not to be lottery tickets within Secs. 405-419. (Judge Niles, Criminal Court of Baltimore.) *State v. Asner & Dolgoff*, Daily Record, Nov. 8, 1939.

1937, ch. 435.

420. No person shall refuse to testify concerning any lotteries because his testimony would implicate himself and he shall be a competent witness and compellable to testify against any person or persons who may have committed any of the offenses set forth under the sub-title "Lotteries" of this Article, provided that any person so compelled to testify in behalf of the State in any such case shall be exempt from prosecution, trial and punishment for any and all such crimes and offenses of which such person so testifying may have been guilty of¹ a participant therein and about which he was so compelled to testify.

Machine Guns.

1933, ch. 550, sec. 350A.

421. (Definitions.) "Machine Gun" as used in this sub-title, means a weapon, of any description, by whatever name known, loaded or unloaded, from which more than one shot or bullet may be automatically discharged from a magazine, by a single function of the firing device.

"Crime of Violence" applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder of any degree, manslaughter, kidnapping, rape, mayhem, assault to do great bodily harm, robbery, burglary, housebreaking, breaking and entering, and larceny.

"Person" applies to and includes firm, partnership, association or corporation.

¹ The word "as" evidently intended.